

रजिस्टर्ड नं० पी० ६७



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शुक्रवार, ५ अप्रैल, १९६८/१६ चैत्र, १८९०

GOVERNMENT OF HIMACHAL PRADESH

VIDHAN SABHA SECRETARIAT

NOTIFICATION

Simla-4, the 2nd April, 1968

No. 1-25/68-VS.—In pursuance of rule 135 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1964 “The Himachal Pradesh Board of School Education Bill, 1968 (Bill No. 16 of 1968)” as introduced on the 2nd April, 1968 is hereby published in the Himachal Pradesh Government Gazette.

D. B. LAL,
Secretary.

Bill No. 16 of 1968

THE HIMACHAL PRADESH BOARD OF SCHOOL EDUCATION BILL, 1968

A

BILL

to provide for the establishment of a Board of School Education in Himachal Pradesh.

BE it enacted by the Himachal Pradesh Legislative Assembly in the Nineteenth Year of the Republic of India as follows:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Himachal Pradesh Board of School Education Act, 1968.

(2) It extends to the whole of Himachal Pradesh.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires:—

(a) 'Board' means the Board of School Education established under section 3;

(b) 'Bye-law' means a Bye-law made by the Board under this Act;

(c) 'Chairman' means the Chairman of the Board;

(d) 'Director' means the Director of Education, Himachal Pradesh;

(e) 'Government' means the Administrator of the Union territory of Himachal Pradesh;

(f) 'Head of Institution' means the Headmaster/Headmistress of a Middle or High School or the Principal of a Higher Secondary School, recognised by the Board;

(g) 'Inspecting Officer' means the District Education Officer, Deputy District Education Officer, Block Education Officer or any other officer appointed for the inspection of schools by the Education Department of the Himachal Pradesh Government;

(h) 'Institution' means institution imparting school education;

(i) 'Local Bodies' means Municipalities, Panchayat Samities, Zila Parishads, Small Town Committees or Notified Area Committees;

(j) 'Managing Committee' means the Managing Committee constituted by the foundation society or the governing body of a recognised institution;

(k) 'Official Gazette' means the Rajpatra, Himachal Pradesh;

(l) 'Prescribed' means prescribed by Regulations;

(m) 'Principal' means the Head of College/Higher Secondary School/Junior Basic Training School;

(n) 'Regulations' means Regulations made by the Board under this Act;

(o) 'Recognised' with its grammatical variations used with reference to institutions means recognised by the Board for the purpose of admission to the privileges of the Board;

(p) 'School Education' means the education from First Class to Eleventh Class, i.e., all education that precedes immediately the stage of education leading to entry to the first degree of a University established by law in India;

- (g) 'Secretary' means the Secretary to the Board; and
(r) 'Vice-Chairman' means the Vice-Chairman of the Board.

3. (1) The Government shall establish, by notification in the Official Gazette, a Board of School Education for Himachal Pradesh with effect from such date as may be specified in the notification. Incorporation of the Board.

(2) The Board shall be a body corporate by the name of the Board of School Education for Himachal Pradesh and shall have perpetual succession and a common seal with power to acquire and hold property both movable and immovable, and, subject to the provisions made under this Act, to transfer any property held by it and to contract and to do all other things necessary for the purposes of its constitution and may sue or be sued in its corporate name.

4. (1) The Board shall consist of the Chairman nominated in accordance with section 18 and of the following members, namely:— Composition of the Board.

I. Ex-Officio Members:

- (a) the Director of Education, Himachal Pradesh;

II. Elected Members:

- (b) three persons elected by the Himachal Pradesh Legislative Assembly from amongst its members;

III. Nominated Members (to be nominated by the Government):

- (c) one Inspecting Officer of the Education Department of the Himachal Pradesh Government;
(d) one Principal of an Engineering College/Polytechnic in Himachal Pradesh;
(e) one Principal of Medical College in Himachal Pradesh;
(f) one Principal of an Agriculture College in Himachal Pradesh;
(g) one Principal representing Government Colleges of Education in Himachal Pradesh;
(h) one representative of the Managing Committees in Himachal Pradesh;
(i) one representative of local bodies in Himachal Pradesh;
(j) three Heads of High and Higher Secondary Schools, one each of the Government, non-Government and Girls High and Higher Secondary Schools;
(k) one representative of the Finance Department of Himachal Pradesh Government;
(l) one member to secure representation of such interests as are not otherwise represented;

IV. Co-opted Members:

- (m) one member to be co-opted by the Board for their expert and wide knowledge of school education.

(2) If the Legislative Assembly fails to elect any member to the Board as required under clause (c) of sub-section (1) within the prescribed time, the Government shall nominate any member of that Assembly to be such member.

5. The Board shall have Headquarters at a place to be notified by the Government in the Official Gazette. Headquarters of the Board.

6. (1) The term of the office of members other than *ex-officio* members shall ordinarily be three years. Term of office of Members and filling of casual vacancies.

(2) If any elected member ceases for any reason to be a member of the Legislative Assembly from which he was elected, he shall cease to be a member and his office shall become vacant.

(3) Notwithstanding anything contained in this section, an outgoing member shall, unless the Government otherwise directs, continue in office until the election, nomination or co-option of his successor is notified in the Official Gazette.

(4) If the Government considers that the continuance in office of any nominated member is not in the interest of the Board, the Government may make an order terminating his nomination and thereupon he shall cease to be a member of the Board notwithstanding that the term for which he was nominated has not expired.

(5) Any member of the Board may resign his office by a letter addressed to the Chairman. The resignation shall take effect from the date of acceptance of his resignation by the Chairman.

(6) In the event of a casual vacancy occurring by reason of the death, resignation or termination of nomination of a member or for any other reason, such vacancy shall be filled by election, nomination, or co-option as the case may be, and any person so elected, nominated or co-opted to fill such vacancy shall hold office for the term for which it was tenable by the person in whose place he has been so elected, nominated or co-opted and no longer.

(7) An outgoing member shall, if otherwise qualified, be eligible for re-election, re-nomination or re-co-option.

(8) The name of every person elected, nominated or co-opted shall be notified in the Official Gazette.

Quorum.

7. No business shall be transacted at a meeting of the Board unless at least nine members are present.

Proceedings
not invali-
dated by
reasons of
vacancies
and irregu-
larities.

8. Subject to the provisions contained in section 7, no act or proceeding of the Board or a Committee thereof shall be invalid merely by reason of the existence of a vacancy among its members or by reason of a defect in its constitution or an irregularity in procedure not affecting the merits of the case.

Members
debarred
from taking
part in
discussion.

9. No member shall take part in the discussion of, or exercise his vote on, any matter in which he has any personal or pecuniary interest.

Powers and
functions of
the Board.

10. Subject to the provisions of this Act, the Board shall—

- (1) prescribe courses of instructions for school education in Himachal Pradesh;
- (2) conduct examinations based on such courses;
- (3) admit to its examinations, on conditions that may be prescribed, candidates who pursue the prescribed courses of instructions—
 - (i) in recognised institutions; and
 - (ii) privately;
- (4) publish the results of such examinations;
- (5) grant diplomas or certificates to persons who have passed the examinations of the Board;
- (6) prescribe courses of instructions for its diploma and certificate courses;
- (7) prescribe conditions for recognition of schools and other institutions which send candidates to the examinations conducted by the Board in terms of teachers and their qualifications, curriculum, equipment, buildings, and other educational facilities;
- (8) demand and receive such fees as may be prescribed;
- (9) co-operate with other authorities in such manner and for such